

REMARKS

The Official Action of March 9, 2005, and the prior art cited and applied therein have been carefully reviewed. The claims in the application are now claims 3-5, and **these claims should be in condition for formal allowance consistent with what is stated in the Official Action.** Accordingly, the applicant respectfully requests favorable consideration and early formal allowance.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The PTO has objected to applicant's Abstract as being too long, and the Office Action states that the Abstract must be less than 150 words, relying on MPEP 608.01(b) [per 37 CFR 1.72(b)].

The Abstract has now been amended to reduce the number of words to no greater than 150. Applicant respectfully requests withdrawal of the objection.

The PTO has objected to applicant's disclosure with respect to the text in paragraph [0014] which incorrectly reads "im". The examiner is correct, as noted in the first full paragraph on page 3 of the Office Action, that the unit referred to is "microns", commonly designated as " μm " (micrometers). The error appears to be a computer printing

error. At any rate, it is clear, as the examiner correctly notes, that what was intended was " μm ", and an appropriate amendment has now been made in paragraph [0014] above.

Withdrawal of the objection is respectfully requested.

Claims 3-5 have been rejected under the second paragraph of Section 112, for the same reasons as the objection to the specification discussed immediately above. The rejection is respectfully traversed.

As the examiner correctly notes, it will be clear to those skilled in the art, such as by reference to the noted Japanese application 2003/137247, that the units are indeed "microns" (μm). Claims 3 and 4 have now been appropriately amended above to correct the computer printing error or typographical error.

Consistent with the Office Action, for the reasons pointed out above, applicant believes that those skilled in the art would not have been confused, and therefore the claims in their previous form, while certainly objectionable as to form, are fully in accordance with Section 112, requiring only an amendment not relating to patentability. Thus, applicant submits that the amendments are cosmetic, i.e. of a formal nature only, made to place the claims explicitly accurate. The amendments are not "narrowing" amendments because the

scope of the claims has not been reduced. No limitations have been added and none are intended.

Withdrawal of the rejection is in order and is respectfully requested.

Claims 3-5 have not been rejected on the basis of any prior art. Accordingly, applicant understands that these claims are deemed by the PTO to define novel and unobvious subject matter under Sections 102 and 103. Consistent therewith, paragraph 10 of the Official Action indicates that these claims are directed to "allowable" subject matter.

Claim 1 has been rejected under Section 102 as anticipated by JP '328, and claim 2 has been rejected as obvious under Section 103 from JP '328. Claims 1 and 2 have now been deleted without prejudice to applicant's rights, including those rights provided Sections 120 and 119, to pursue the same or similar claims without penalty in a continuing application, if applicant chooses to do so. Accordingly, applicant need not further address these rejections at the present time in view of the cancellation of claims 1 and 2.

The prior art documents made of record and not relied upon have been noted, along with the implication that such documents are deemed by the PTO to be insufficiently

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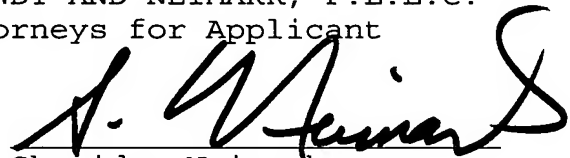
pertinent to warrant their application against any of
applicants' claims.

Applicant believes that all issues raised in the
Official Action have been addressed above in a manner favoring
patentability of the present invention. Accordingly,
applicant respectfully requests favorable consideration and
early formal allowance.

Respectfully submitted,

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